

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

CLINTON GREEN, SR.,

Plaintiff,

-vs-

Case No. 3:19-mc-11-J-34MCR

I.R.S. COMMISSIONER, etc.,

Defendant.

ORDER

THIS CAUSE is before the Court sua sponte. On May 2, 2019, Plaintiff Clinton Green, Sr. filed with the Court a document titled “Commercial Affidavit of Truth, Notice and Agreement” (Doc. 1; Affidavit). A year later, on May 13, 2020, Green filed a “Notice of Consummation of Grace Period, Affidavit of Default Judgment and Agreement [Nihil Dicit]” (Doc. 2; Notice). Green then filed what he calls a Motion for Summary Judgment (Doc. 3; Motion) on July 22, 2020, and on November 19, 2020, Green filed a letter (Doc. 4) expressing his frustration with the lack of a ruling from the Court.

Pursuant to Rule 3, Federal Rules of Civil Procedure (Rule(s)), “[a] civil action is commenced by filing a complaint with the court.” Here, neither Green’s Affidavit nor his Notice constitute a complaint within the meaning of the Federal Rules of Civil Procedure, and as such, Green has not commenced a civil action.¹ Thus, this matter is not properly

¹ Moreover, while Green appears to demand evidence or a response from Defendant, or the entry of a judgment against Defendant, Green has failed to properly effectuate service of process in the manner required under Rule 4.

before the Court. As such, the Court will strike the Affidavit, terminate the Motion and close the file.

Accordingly, it is **ORDERED**:

1. The Commercial Affidavit of Truth, Notice and Agreement (Doc. 1) is **STRICKEN**.
2. The Clerk of the Court is **directed** to terminate the Motion for Summary Judgment (Doc. 3) and close the file.

DONE AND ORDERED at Jacksonville, Florida, this 20th day of November, 2020.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Pro Se Party